

Customer No. 24498
Docket No. INVTEL04001
Office Action Date: 12/10/2009

Remarks/Arguments

Claims 1-26 remain pending in the application. Claim 1 is independent and claims 2-26 ultimately depend from claim 1.

Claims 1-4 and 6-26 are rejected under 35 U.S.C. § 103(a) as unpatentable over US Patent 6,757,269 (hereinafter “Dorenbosch”) in view of US Patent 6,826,387 (hereinafter “Kammer”).

Applicants respectfully traverse this rejection for at least the following reasons.

Claim 1 recites the following:

Local radio communication device comprising at least:

- one IP point of access adapted to communicate at least outwards from the network in IP mode,*
- a point-to-point communication module adapted to communicate at least with a terminal according to at least one point-to-point communication protocol,*
- and a first interface adapted to allow the IP access point to communicate with the point-to-point communication module wherein the first interface is adapted to be presented to an electronic device communicating in IP mode with the IP access point, in the form of at least one virtual port and the said first interface is adapted to be controlled by the said electronic device by means of control instructions. (Emphasis added).*

Applicants respectfully submit that the combination of Dorenbosch and Kammer fails to disclose or suggest each and every limitation of claims 1-4 and 6-26.

Dorenbosch pertains to a mobile wireless router, which includes a first wireless transceiver for accessing a wireless packet data channel, a network interface for coupling to a first network, and a processor coupled to the first wireless transceiver and coupled to the network interface for controlling and communicating with the first wireless transceiver and the network interface. The processor is programmed to provide an internet protocol (IP) router function to terminal equipment (TE) coupled to the mobile wireless router through the first network, and is further programmed to appear, to another device in a second network coupled via the wireless packet data channel, to be an ordinary router (see abstract).

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In the Office Action it is contended that “*said first interface is adapted to be controlled by the said electronic device by means of control instructions*” is disclosed in Dorenbosch at col. 1 lines 56-67, col. 2 lines 1-17, Fig. 1, and col. 2 lines 17-36.

The mobile wireless router in Dorenbosch includes a processor and a network interface. Dorenbosch appears to disclose the processor controls the network interface. See Dorenbosch at Fig. 1 and col. 2 lines 18-23. The Office Action apparently equates the mobile wireless router in Dorenbosch to the Local radio communication device of claim 1. As such, they system of Dorenbosch is distinguishable from claim 1 because Dorenbosch apparently discloses that the interface of the mobile wireless router is controlled by the processor of the same mobile wireless router. In other words, the interface of Dorenbosch is not controlled by a different electronic device. Therefore Dorenbosch does not disclose every element of claim 1 because claim 1 requires *said first interface is adapted to be controlled by the said electronic device by means of control instructions*. Accordingly, Dorenbosch does not teach or disclose this feature of claim 1.

Furthermore, it is alleged in the Office Action that Dorenbosch discloses using a software controlled port. Applicants respectfully disagree. Although Dorenbosch may disclose a processor for controlling a network interface, Applicants respectfully submit that a network interface of Dorenbosch does not correspond to the port recited in the claims. See Dorenbosch at col. 2, lines 4-7: “It will be appreciated that, alternatively, the network interface 106 can include a wired transceiver, such as a Fast Ethernet transceiver, or a modem, for interconnecting with a wired LAN.” A network interface is completely distinguishable from a port. In addition, Applicants respectfully point out that “software controlled port” is not included in the pending claim language.

Kammer apparently relates to a method and device for providing a service record for an application running on a virtual serial port of a wireless transceiver device, however, Kammer does not cure the deficiency of Dorenbosch with respect to the above discussed features of claim 1. For example, Kammer does not suggest or disclose the first interface is adapted to be controlled by said electronic device by means of control instructions. Furthermore, the Office Action does not rely on Kammer for teaching such features.

The Office Action relies on Kammer as showing a “virtual port.” However, a review of Kammer finds that the description relates to virtual ports being opened using a driver residing on

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the same device as the virtual port. See Kammer Fig. 7 and col. 10 lines 53-55. Kammer does not teach or suggest "*the first interface is adapted to be presented to an electronic device communicating in IP mode with the IP access point, in the form of at least one virtual port and the said first interface is adapted to be controlled by the said electronic device by means of control instructions,*" (emphasis added), as claimed by Applicants.

For at least the reasons set forth above, it is submitted that claim 1 is patentable over the combination of Dorenbosch and Kammer. Therefore, claim 1 is allowable under 35 U.S.C. §103.

Dependent claims 2-4 and 6-26 depend from claim 1. Each dependent claim includes all the features of claim 1, including all the particular features discussed immediately above. In view of this dependence, Applicants essentially repeat the above arguments from claim 1 for each of dependent claims 2-4 and 6-26. Thus, it is submitted that claims 2-4 and 6-26 are allowable at least by virtue of their dependency from an allowable base claim and because each claim recites further distinguishing features thereover. Withdrawal of the rejection of dependent claims 2-4 and 6-26 is respectfully requested.

Claim 5 is rejected under 35 U.S.C. § 103(a) over Dorenbosch and Kammer and further in view of US Patent Application Pub. 2004/0146072 (hereinafter "Farmwald").

Applicants respectfully traverse this rejection for at least the following reasons.

Claim 5 depends from claims 1 and includes all the features of claim 1 including all the particular features discussed above. In view of this dependence, Applicants essentially repeats the above arguments from claim 1 and apply them to dependent claim 5. Farmwald does not cure the deficiencies of the combination of references as applied to claim 1. Thus, it is submitted that claim 5 is allowable at least by virtue of its dependency from claim 1 and because claim 5 recites further distinguishing features thereover. It is respectfully requested the rejection of dependent claim 5 should be withdrawn.

Conclusion

Having fully addressed the Examiner's rejections it is believed that this application stands in condition for allowance. Accordingly, reconsideration and allowance are respectfully solicited. If the Examiner cannot take such action, the Examiner should contact the Applicant's

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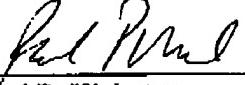
attorney at (609) 734-6815 to arrange a mutually convenient date and time for a telephonic interview.

In the event that there are any errors with respect to the fees for this response or any other papers related to this response, the Director is hereby given permission to charge any shortages and credit any overcharges of any fees required for this submission to Deposit Account No. 07-0832.

Respectfully submitted,

David Libault, et al.

Date: 4/8/10

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